

## THE LEGISLATIVE ASSEMBLY.

Seventy-second Day.

THURSDAY, Aug. 23.

The House met at 10 o'clock, the President, Hon. W. R. Castle, in the chair. Absent: Ministers Green, Austin, Thurston, Ashford; Nobles Robinson, Dowsett, Young, Jaeger, Smith, Baldwin, Bailey, Campbell, Widemann, Wilcox, Bertemann; Reps. Hueston, Dowsett, Naone, Kauli, C. Brown, F. Brown, Kinney, Kawainui, Wilcox, Paeaho. Minutes read and confirmed.

## PETITIONS.

Noble presented a petition from Mr. J. M. Herring, and moved the same be referred to the Education Committee. The petition was so referred.

## REPORTS OF COMMITTEES.

Rep. F. Brown reported three bills, and also the report of the Finance Committee on the matter of the state funeral of the late Princess Likiep, printed. Noble Hitchcock presented the minority report of the Judiciary Committee on the bill to abolish the hospital tax collected from passengers arriving at this port. Considered that this tax ought to be abolished and recommended that the House pass this Act, and lay in its grave that old moss-grown fossil of a past generation.

Rep. Kinney moved the indefinite postponement of the minority report.

Rep. F. Brown moved it be adopted.

Rep. C. Brown moved it be laid on the table to be considered with the bill.

Indefinitely postponed, 21 to 16.

A point of order was raised in the discussion of the hospital tax report, on the five minutes rule adopted, 21st inst. The Chair ruled that the five minutes includes the interpreter's time.

Noble Smith appealed from the ruling of the Chair.

The Chair was sustained by a vote of 21 to 15.

Noble Townsend read a report of the committee, appointed June 15th, on the Honolulu Fire Department, recommending that the department be placed more directly under the charge of the Minister of Interior as regards the disposal of the moneys appropriated by the Legislature for the department. Committee submit a bill embodying their conclusions and for the purpose of carrying them into effect. The report was accepted and the bill read a first time.

Minister Thurston presented the report of the special committee, appointed 15th inst., on sections 47 and 48 of the election bill, and to whom were subsequently referred certain other sections. Committee submit a new draft of sections 42 to 63 inclusive and recommend the same to be adopted. Laid on the table to be considered with the bill.

## RECONSIDERATION.

Rep. Rice moved reconsideration of the vote of yesterday by which certain bills were set for third reading on Friday, Saturday, and Monday. Carried.

The bills referred to were then placed on the order for third reading to-day.

## RESOLUTION.

Rep. Kamaoaha moved that the five-minute resolution adopted on Tuesday be held to mean five minutes, exclusive of the interpreter's time. Carried.

## ORDER OF THE DAY.

Commercial Paper—Third reading of the bill relating to commercial paper. Passed.

Segregation—Third reading of the bill relating to the segregation of lepers. Passed.

Rep. Kamaoaha moved indefinite postponement. The motion was defeated on the following division:

Ayes—Luhiau, Hitchcock, Naone, Kauli, Kamaoaha, Helekuhi, Kawainui, Nakaleka, Paeaho—10.

Noes—Green, Thurston, Ashford, Robinson, Young, Jaeger, Smith, Baldwin, Bailey, Campbell, Widemann, Wilcox, Bertemann, Richardson, Makae, G. N. Wilcox, Dole, Dowsett, Kalaokoa, C. Brown, Deacon, Kinney, Maguire, Kaubane, Paris, Daniels, Horner, A. S. Wilcox, Rice—26.

The bill passed.

Noon recess, one hour.

## Afternoon.

Re-assembled at 1 o'clock.

Proof of Service—Third reading of the bill relating to proof of service of process in civil cases. Passed.

Lunatic Trustees—Third reading of the bill relating to the conveyance of certain land to the Trustees of Lunatic Home. Passed.

Judges—Third reading of the bill relating to the number of Justices of the Supreme Court. Passed.

Tax Costs—Third reading of the act to authorize clerks of courts to tax costs. Passed.

Exempt Steamships—Third reading of the bill to exempt steamships, etc. Passed.

Fish Protection—Third reading of the bill to provide for the protection of certain fish in the waters of the Kingdom. Passed.

Rep. Nakaleka moved the bill be indefinitely postponed.

Minister Thurston said the bill might work serious hardship in some districts although necessary in others. The law might be made applicable to where its provisions are needed.

Rep. Kinney thought the bill ought to go through. He had been surprised at the extent and stringency of the fishing laws of Nova Scotia, Maine, Massachusetts and other countries having fisheries.

Rep. Brown said that if the provisions of the bill are limited to Oahu, we shall soon hear a howl from people's main source of livelihood. If it cannot be amended to answer the purpose intended without being a hardship to the people he would favor indefinite postponement.

Rep. Paeaho thought the bill would interfere with many people's main source of livelihood. If it cannot be amended to answer the purpose intended without being a hardship to the people he would favor indefinite postponement.

Rep. Nakaleka thought the gist of the bill is the fact that the hon. member for Koolaula is largely interested in cattle ranches. If the people will stop eating fish, they will want more Kahuku beef.

The motion for indefinite postponement was lost on the following division:

Ayes—Luhiau, Kamaoaha, Nawahine, Daniels, Gay, Nakaleka, Paeaho—7.

Noes—Green, Thurston, Ashford, Robinson, Young, Jaeger, Smith, Waterhouse, Foster, Wright, Noley, Townsend, Baldwin, Richardson, Widemann, Makae, G. N. Wilcox, Dole, Hueston, Dowsett, Kalaokoa, Kauli, C. Brown, F. Brown, Deacon, Kamaoaha, Kinney, Maguire, Kaubane, Paris, Daniels, Horner, A. S. Wilcox, Rice—35.

The bill was referred, on motion, to a select committee, consisting of Noble Widemann, Reps. Gay, F. Brown, Kaubane and Nakaleka.

## THE VETOED ACT PASSED.

At 2 o'clock, pursuant to resolution adopted yesterday, the reconsideration of the bill to abolish the office of governor, vetoed on the 22d inst., was taken up.

The President put the question: "Shall this Act become a law notwithstanding the veto of the King?"

The bill passed on the following vote:

Ayes—M. P. Robinson, Alex. Young, A. Jaeger, W. R. Castle, O. Smith, Harry Waterhouse, W. E. Foster, S. C. Lahiau, Jas. Wright, Chas. Noley, Chas. Wall, H. P. Baldwin, Jno. Richardson, P. N. Makae, G. N. Wilcox, G. H. Dole, F. Hueston, J. J. Dowsett, Jr., A. P. Kalaokoa, A. Kauli, C. Brown, F. Brown, Deacon, D. K. Kauli, W. A. Kinney, J. Maguire, J. Kaubane, G. P. Kamaoaha, J. D. Paris, O. Nawahine, W. H. Daniels, E. Helekuhi, C. F. Horner, J. U. Kawainui, A. S. Wilcox, F. H. Rice, Francis Gay, A. P. Paeaho—40.

Noes—H. A. Widemann, J. Nakaleka—2.

## ORDER OF THE DAY.

Carts Tax—Third reading of the bill relating to the tax on carts and drays. Passed.

Circuit Judges—Second reading of the bill, introduced by Noble Castle June 12, to confer jurisdiction upon circuit judges to issue warrants and examine for commitment persons accused of crime or misdemeanor. Passed to engrossment, to be read a third time on Friday.

Civil Service—Second reading of the bill introduced by Noble Townsend Aug. 16, to regulate and improve the civil service of the Hawaiian Islands.

Rep. Kinney moved it be referred to the Judiciary Committee.

Noble Foster moved it be indefinitely postponed.

Minister Thurston said it is too late in the session to give the measure proper consideration.

Noble Townsend said it will not require much work to get it into shape. The opposition already met seems to indicate that the spoils system has too firm a hold now.

The motion to indefinitely postpone carried, 19 to 17.

Kamie—Second reading of the bill introduced by Noble Castle June 12, to encourage the cultivation and manufacture of ramie. Referred to the Committee on Commerce.

Taro Flour—Second reading of the bill introduced by Rep. Kamaoaha Aug. 21, to encourage the production and sale of taro flour and other products of taro. Referred to the Committee on Commerce.

Election Bill—Second reading of the bill, introduced by Rep. Kinney, to amend the Election Bill, and substitute sections, 42 to 63 inclusive, submitted by the special committee, relating to "the method of election."

Rep. Paeaho moved reconsideration of the vote by which section 74 passed yesterday. Carried.

The bill and substitute sections were taken up in Committee of the Whole, Rep. F. Brown in the chair.

Noble Smith moved that section 42, as recommended by the committee, pass.

Rep. C. Brown moved section 42 of the original bill, pass.

The original bill reads:

Section 42. The inspectors shall prepare for holding the election, at each polling place: 1. One suitable compartment or space for a polling booth or shed, and one or more inner compartments separate from the polling booth, to be placed in the polling booth for voters, the two ballot boxes prescribed by Section 41 hereof; 2. A sufficient number of ballots as provided in Section 50; and 3. A sufficient number of ballot papers or tickets or table in each of said inner compartments for the use of voters. No polling place shall on any account be in any premises where the sale of intoxicating liquors, beer or wine is licensed.

The committee recommended as follows:

Section 42. The inspectors shall prepare for holding the election, at each polling place, a suitable compartment or space in which shall be placed at a point convenient for voters the two ballot boxes prescribed by section 41 hereof. No polling place shall on any account be in any premises where the sale of intoxicating liquors, beer or wine is licensed.

Rep. C. Brown's motion was lost on the following division:

Ayes—Robinson, Castle, Waterhouse, Luhiau, Noley, Wall, Hitchcock, Dole, Hueston, Kalaokoa, Kauli, C. Brown, F. Brown, Maguire, Kamaoaha, Nawahine, Paeaho—17.

Noes—Thurston, Ashford, Jaeger, Smith, Townsend, Baldwin, Richardson, Makae, G. N. Wilcox, Deacon, Kamaoaha, Kinney, Kaubane, Paris, Daniels, Helekuhi, Horner, A. S. Wilcox, Gay, Nakaleka—20.

The section recommended by the special committee passed, as also sections 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, without amendment, passed.

Noble Castle moved to insert a new section, providing that inspectors of election be supplied with oaths taken in oaths of office occurring whereby the printed ballots may not be delivered. Deferred until next sitting of the Committee.

Committee rose and House resumed at 9:24.

Adjourned to 10 o'clock Friday morning.

## Seventy-third Day.

FRIDAY, Aug. 24.

The House met at 10 o'clock a. m., the President, Hon. W. R. Castle, in the chair. Opened with prayer by the chaplain, Rev. E. S. Timoteo. Minutes read and confirmed.

## REPORT OF COMMITTEE.

The Attorney-General read a report of the select committee, appointed, 20th inst., on the Oahu steam railroad bill, recommending certain amendments, and with them that the bill pass. Received and laid on the table to be considered with the bill.

PRELIMINARY ANSWER BY MINISTER.

Minister Thurston asked further time for his answer to the questions asked on Friday by Rep. Nakaleka. About the same time as these questions were placed in his hands, he was appointed on a special committee on the election bill, on which it had been necessary to work day and night and part of Sunday. A great deal of talk was being indulged in outside about Interior Office affairs. The doings of the Interior Office are open to the examination of any member of the House.

## RESOLUTIONS.

Noble Makae moved the following:

Be it resolved by the Legislature of the Hawaiian Kingdom—It is the sense of this House that the Cabinet should act upon their own responsibility, irrespective of any previous action taken by this House in determining upon further suits or prosecutions in respect of duties upon wines and spirituous liquors withdrawn from the Custom House upon official orders.

Minister Ashford said he had intimation last evening that some such resolution was coming. He did not know what was

in it. As it is, he did not see anything seriously objectionable in it.

Noble Waterhouse wished to know if the Attorney-General, on the passage of this resolution, would still go on with proceedings in terms of the resolution adopted by the House in December last.

Minister Ashford said that he would do his duty so long as he should hold the present office, irrespective of whether this resolution fail or pass. He should not be deterred from shooting, merely because large game was about and flying high.

Noble Smith asked to have the resolution of December 3, 1887, read. The resolution consisting of an adopted recommendation of a special committee was read.

And your committee do therefore recommend in accordance with the above suggestions and also that His Excellency the Attorney-General be required at once to institute an enquiry into all of the matters involved in said statement, and if it shall appear that any amounts are properly due to the Government for goods improperly withdrawn, proceedings shall be had to recover the same, and if it also appear that any person or persons are liable to any fines or penalties or to any punishment under our statutes, that proceedings accordingly be instituted. And they also recommend that if it be found on such examination that any licensed dealer has been guilty of any fraud or such gross carelessness as to amount to fraud in premises, that no spirit licenses be granted them or any of them in the future.

Noble Waterhouse did not think the House should go back on its former instructions to Ministers by interfering with Ministers in any way.

Rep. C. Brown could not agree with the last speaker. The law has been vindicated and he thought the ends of justice had been fulfilled, and the Attorney-General has assured the House that, if there are any matters of those already disposed of, he will do his duty.

Noble Baldwin said the House had adopted a cast iron resolution at last session. Circumstances may have arisen since to call for modification of the terms of that resolution.

Noble Young said the resolution of last session was not cast in the foundry. He favored the present resolution. Thought we better now look to ourselves that we do not get wrong.

In answer to questions by Reps. Kinney and C. Brown, as to whether the Government had refused to renew the licenses to Macfarlane & Co. unless they furnish bonds for the amounts of any judgments that may be recovered against them in the Court for duties on goods illegally withdrawn from the Custom House, the Attorney-General said the whole matter is at present under consideration by the Cabinet. Some correspondence had taken place and several interviews been held between members of the firm and Ministers. The latter have certain duties to perform and must perform them irrespective of all personal considerations. Strenuous efforts have been made to arrive at a compromise or basis of settlement, but hitherto, the firm maintains an attitude of defiance and refuses to settle.

Rep. Kaubane said that the passage of this resolution would be a backing down on the part of the House.

Noble Smith said if the present resolution passes, the former one will be mandatory as regards the license. As to the question of the license, he would be willing that the Cabinet have discretion, but he would not have the mandatory part of the former resolution as regards amounts due the Government. If there are moneys due the Government, every taxpayer has a right to see that they are paid.

Rep. C. Brown moved to amend the resolution by inserting "also the matter of issuing licenses for the sale of spirituous liquors."

Noble Widemann wished to ask Noble Smith if he supposed that if these Ministers see anything due the Government, they'll not go and get it? He, the speaker, never had any doubt on that point.

Minister Ashford moved that the Ministers be excused from voting on this resolution, as it involves instructions to themselves. Carried.

HE SET THE LIMIT OF ADVANCE.

The ayes and noes were called on the motion to indefinitely postpone the resolution.

Ayes—Smith, Waterhouse, Luhiau, Wight, Townsend, Dole, Kalaokoa, Kaubane, Paris, Nawahine, Kawainui, Rice—12.

Noes—Robinson, Young, Jaeger, Noley, Wall, Baldwin, Richardson, Widemann, Makae, G. N. Wilcox, Dowsett, Jr., Kauli, C. Brown, F. Brown, Deacon, Kamaoaha, Kinney, Maguire, Kamaoaha, Daniels, Helekuhi, Horner, A. S. Wilcox, Gay, Nakaleka—29.

Rep. C. Brown's amendment passed and the resolution, so amended, was adopted.

ORDER OF THE DAY.

Circuit Judges—Third reading of the bill authorizing circuit judges to issue warrants, etc. Passed.

Suits by and against Government—Second reading of bill, No. 128, introduced Aug. 17 by the Judiciary Committee, to substitute for bill No. 32, introduced June 5 by Minister Ashford, with reports of Judiciary Committee, June 13 and Aug. 17, thereon.

Minister Ashford moved that bill No. 32, referred back, on third reading, June 19, to the Judiciary Committee, be considered section by section.

Noble Smith moved that No. 128 be taken up.

The various merits and demerits of both bills were recited and set forth by Minister Ashford and Rep. Kinney on behalf of No. 32, and by Noble Smith in support of No. 128.

At 12:10, "no quorum" was announced, upon which the President directed the Sergeant-at-Arms to bring in a quorum by 1:15 p. m.

A quorum was obtained at 1:15.

Suits with Government.—The motion to take up for consideration bill No. 32 was put and carried.

The bill passed, with amendments, and was referred back to the enrollment committee.

Taxes—Second reading of the bill, submitted by the Judiciary Committee, 21st inst., in connection with their divided report on the petition of Noble Widemann, July 17th, for refund of taxes alleged to have been paid twice: To amend section 22 of an Act to consolidate and amend the law relating to Internal Taxes, approved on the seventh day of August, A. D. 1887, as amended by Chapter XXXVII. of the laws of 1886.

Minister Green moved the indefinite postponement of the bill.

Noble Smith moved it pass to engrossment.

Rep. C. Brown moved an amendment, in favor of which Minister Green withdrew his motion.

Noble Smith moved that the amendment, bill and the whole thing, be indefinitely postponed. Lost.

Rep. Brown's amendment was adopted.

The section, as amended, reads:

Section 22. Every trustee, treasurer, executor, administrator or guardian shall, for the purpose of this Act, be deemed agent, and shall be answerable for the performance of all such acts, matters or things as are required to be done by virtue of this Act in respect of the assessment of the property which he represents, and the payment of taxes thereon, and to retain out of any money which shall come to him in his representative character so much from time to time as shall be sufficient to pay such tax, and shall be indemnified for all payments which he shall make in enforcement of this Act.

The bill, so amended, passed to engrossment.

ment, to be read a third time on Saturday. The report of the Judiciary Committee, with the petition referred to above, were, on motion, laid on the table.

Spirituous Liquors—Second reading of the bill submitted, 7th inst., by the special committee to whom had been referred, 2nd inst., the bill introduced June 13th, by Noble Hitchcock, to better prevent illicit traffic in spirituous liquors.

Amendments offered by Minister Ashford and Rep. C. Brown were accepted.

Passed, as amended, to engrossment to be read a third time on Monday.

Traveling Agents—Second reading of the bill, introduced July 14th, by Rep. C. Brown, to regulate the sale of goods, wares and merchandise in this Kingdom by commercial travelling agents from foreign countries. Passed to engrossment, to be read a third time on Monday.

Hospital Tax—Second reading of the bill, introduced Aug. 7th, by Noble Hitchcock to amend the Hospital Tax Act.

Noble Hitchcock moved the bill pass.

Rep. C. Brown moved it be indefinitely postponed. Carried.

## RECONSIDERATION.

Noble Hitchcock moved reconsideration of the vote yesterday by which the ramie and taro flour bills were referred to the Committee on Commerce. Carried.

The bill was then taken up by a special committee consisting of Nobles Hitchcock, Smith and Dole, Reps. Kawainui and Daniels.

## INVITATION TO A HOPE.

The President read an invitation to the officers and members of the legislature to a 10th anniversary of the memory of the Honolulu Rifles, this evening.

The Clerk was directed to acknowledge receipt of the communication.

Recess at 4:05 to 7 o'clock.

## Evening.

Re-assembled at 7 o'clock. A quorum was obtained at 7:15.

Election Bill—Consideration of the election bill in Committee of the Whole, Noble Townsend in the chair.

Section 86, "corrupt practice—bribery," containing twelve paragraphs, was taken up, each paragraph separately.

Paragraph 8, prohibiting candidates from furnishing food and drink to voters on election day, elicited an animated debate, touching, as Rep. Kauli stated, a matter of the heart of every Hawaiian—"something to eat."

Rep. Nakaleka moved an amendment that refreshments may be furnished voters whose residence is five miles or more from the polling place, provided, however, that such refreshment is not given as an inducement to vote. Lost.

The twelve paragraphs of section 86 passed with sundry amendments.

The section passed, as amended.

Committee rose at 9:34.

House resumed at the report of the Committee of the Whole was adopted.

## RECONSIDERATION.

Noble Makae moved reconsideration of the vote by which the civil service bill was yesterday indefinitely postponed.

Adjourned at 9:40 to 10 o'clock Saturday morning.

## Policy of the Czar.

Under the headings of: "An Iron Wall. A Bit of History that Casts Volumes of Light on the Character of the Czar," the New York Herald publishes the following despatch from its Paris Bureau, July 20:

A tempest of indignation swept over England in 1885 when it was discovered that the Russians were operating slowly but surely on the Afghan frontier and were threatening India. In England people talked of sending British troops to encounter those of the Czar.

Then it was that M. de Giers informed his sovereign of the alarm spread throughout Europe by England's threatening attitude.

HE SET THE LIMIT OF ADVANCE.

The Czar pointed to a map that was lying open on the table, drew a line upon it and said to his Minister, "We will go as far as that line."

"But, sire, it is war if we go to that line."

"We will go to that line, come what may."

"But it will cost hundreds of millions if we have war, and the finances are—"

"Very well. If the Treasury should be unable to furnish the necessary sum the Imperial family will provide two hundred millions and we will go to that line," and the Czar pointed all the time at the line he had drawn on the map.

"But, sire, my responsibility is engaged, and although thoroughly devoted to Your Majesty, I confess that if we go to that line I shall prefer to tender my resignation."

"In Russia, monsieur, Ministers do not possess that right. The Emperor can permit them to retire—he cannot accept their resignation."

THE TROOPS WENT THERE.

Thus spoke the Czar, and the Russian troops went where the Czar wished them to go—to that line. England did not declare war, nor did M. de Giers think any more about resigning.

This conversation, which throws such volumes of light upon the character of the Czar, is published in the Paris Gaulois. At the time alluded to I was in Russia, and I am in a position to confirm the accuracy of the Gaulois' narrative.

The above conversation took place at Gatchina and it is now a matter of history. The Gaulois, however, does not touch upon another result of this conversation, which caused a sort of consternation in diplomatic circles. All Ambassadors and Ministers, not only in Russia, but in Germany and Austria, and even in England, had hitherto regarded the Czar as a sort of amateur diplomatist, who would follow implicitly in the leading strings of M. de Giers, just as to-day they expect Kaiser William II. to follow in the leading strings of Prince Bismarck.

WILD REPORTS SET AFLOAT.

The result was that reports—clearly traced to one of the most ignorant embassies in St. Petersburg—were spread abroad to the effect that the Czar was a sort of wild, frantic, volcanic madman, ready to plunge Europe into war at his slightest caprice. History has since proved the clean contrary.

In a few days hundreds of wild rumors will emanate from Peterhof. Readers of the Herald will be able to read between the lines of the official and semi-official utterances with which Europe will soon be flooded if they simply bear the above incident in mind. No matter what inducement or temptation or flattery Emperor William II. may offer it is certain that the Czar will remain inflexibly devoted to his own policy, and that, too, with an unflinching hand. Whatever the Czar wants he seeks with the tenacity of iron.

A Sydney despatch of Aug. 12 says the Maritime Labor Council held a meeting September 12 as the date, when all vessels employing Asiatics must replace them with European crews, otherwise the Council will pursue similar tactics to those adopted in the case of the mail steamer Mariposa.

## A FEW OF THE TRUSTS.

Trust, that was nurtured in confidence and born